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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,987	07/31/2003	Gregory T. Hulan	10991815-3	2196
7590 07/10/2008 HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400			EXAMINER ROBINSON, MYLES D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/631,987

Applicant(s)

HULAN, GREGORY T.

Examiner

Myles D. Robinson

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 4, 6, 7, 9, 12 - 17, 19 - 25, 29 and 32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 3, 4, 6, 7, 9, 12 - 17, 19 - 25, 29 and 32 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-848)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 1/9/2008, and has been entered and made of record. Currently, **claims 1, 3, 4, 6, 7, 9, 12 – 17, 19 – 25, 29 and 32** are pending.

Response to Arguments

2. Applicant's arguments (*see Remarks 1/9/2008 [second and third paragraphs of page 8]*) with respect to the rejections of claims 1 and 6 under 35 U.S.C. §103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Moro** (U.S. Patent No. 5,357,348).

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "10" has been used to designate both a computer (*see Fig. 1*) and a digital copying machine (*see Specification [page 3, line 22]*).

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the input device displaying selectable entries each corresponding to a different standard photo size (as recited in claim 4), the input device prompting for additional standard sizes (as recited in claim 9), the controller causing the print module to print the first and second copies of

the scanned image on the first and second sheets using a single resolution for printing photos and mixing color dots to create colors (as recited in claims 12, 13, 20 and 21), at least on entry which conveys information that is at least indirectly related to a maximum printable area on a sheet (as recited in claim 14), standard photos sizes which are in metric units and English units of measurement (as recited in claims 15, 16, 23 and 24), and the apparatus is a digital copying machine (as recited in claims 19 and 29) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. The following quotation of 37 CFR 1.75(a) is the basis of the objection:
- (a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

6. **Claims 1, 3, 4, 6, 7, 9, 12 – 17, 19 – 25, 29 and 32** are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Claim 1 recites the limitation "an image" in line 10 of the claim after the limitation "an image" was claimed in line 1 of the claim. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** "image" or ***a unique and distinctly different*** "image" within the claim. All claims dependent upon this claim suffer the same deficiency and, therefore, are objected to as well.

7. **Claim 6** recites the limitation "an image" in line 8 of the claim after the limitation "an image" was claimed in lines 1 and 2 of the claim. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to ***the same, instant*** "image" or ***a unique and distinctly different*** "image" within the claim. All claims dependent upon this claim suffer the same deficiency and, therefore, are objected to as well.

8. **Claim 22** recites the limitations "a selection of an entry" and "a set of differing photo sizes" in line 2 of the claim after the limitations "a selection of an entry" and "a set of differing photo sizes" were claimed in line 5 of the parent claim 1. The applicant has

failed to particularly point out and distinctly claim if the applicant is referring to **the same, instant** "selection of an entry" and "set of differing photo sizes" or **a unique and distinctly different** "selection of an entry" and "set of differing photo sizes" within the claim.

9. **Claim 22** recites the limitation "sheet" in line 4 of the claim after the limitation "a sheet" was claimed in line 2 of the parent claim 1. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to **the same, instant** "sheet" or **a unique and distinctly different** "sheet" within the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. **Claims 1, 3, 4, 6, 7, 9, 14, 17, 19, 22, 29 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jamzadeh et al.** (U.S. Patent No. 4,994,827) in view of **Moro** (U.S. Patent No. 5,357,348).

Referring to **claim 1**, Jamzadeh discloses an apparatus for scanning an image and printing copies of the image on a sheet (see *Fig. 1 [column 3, lines 52 – 65]*), the apparatus comprising:

a scan module (see *Fig. 1, color scanner 40 [column 4, lines 15 – 25]*),

a print module (see Fig. 1, *electronic exposure station 3 [column 4, lines 44 – 48]*),

an input device (see Fig. 1, *operator control panel displays print size designation portion 45 as input for logic and control 30 [column 4, lines 31 – 37]*) for the purpose of causing a plurality of different sizes of an original to be printed (see Fig. 1, *print size designation portion 45 [column 4, lines 35 – 44]*), and

a controller (see Fig. 1, *logic and control 30 [column 4, lines 29 – 35]*) operable to:

cause the scan module to scan an image from the original (see Fig. 1, *scanner 40 scans an original to be printed [column 4, lines 17 – 20]* and see Fig. 1 wherein *print size designation portion 45 allows for user input regarding desired photo sizes for printout [column 4, lines 35 – 44]*),

generating first copies of a first scanned image of an original to a first selected photo size (*column 4, lines 40 – 44*),

generating second copies of a second scanned image of that original to a second selected photo size (*see column 4, lines 27 – 30 and 40 – 44 wherein one of ordinary skill in the art would use the invention multiple times to scan different originals and wherein scanned images are stored into memory 43 which must have substantial storage space to suitably meet system demands of those plurality of different originals*),

cause the print module to print first copies on a first sheet (*see Fig. 1 wherein print size designation 45 allows user to select a printout of one particular size [column 4, lines 35 – 44 and column 5, lines 1 – 29]*), and

cause the print module to print the second copies on a second sheet (*see column 4, lines 35 – 44 and column 5, lines 1 – 29 wherein one of ordinary skill in the art would use the invention multiple times to print another printout of another particular size different from the previous printout of one particular size*).

All scanners inherently scan originals of different sizes, wherein the sizes of originals to be scanned can range from:

- a) original sizes smaller than the scanning area of the scanner,
- b) original sizes exactly the same size as the scanning area, and
- c) original sizes somewhat larger than the scanning area.

However, Jamzadeh does not explicitly disclose the apparatus further comprising an input device for allowing a selection of an entry identifying a set of differing photo sizes, and a controller operable upon a determination that the entry identifying the set of differing photo sizes has been selected, to: automatically determine actual size of the scanned image, automatically scale a first copy of the scanned image to a first photo size identified by the entry, automatically scale a second copy of the scanned image to a second selected photo size identified by the entry, the second selected photo size being different than the selected photo size, automatically cause the print module to print one or more of the scaled first copy on a first sheet, and automatically cause the print module to print one or more of the second scaled copy on a second sheet.

Although Jamzadeh discloses the logic and control 30 receives the print size designation for the scanned original and then supplies the image data and control panel inputs to the RIP for print processing (*column 4, lines 35 – 48*), Jamzadeh does not explicitly disclose the automation of such steps causing printing of the copies.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to automate the printing of scanned copies since it has been held that broadly providing an automatic or mechanical means to replace a manual activity, which accomplished the same result, is not sufficient to distinguish over the prior art. *In re Venner*, 262 F.2d 91, 95, 12 USPQ 193, 194 (CCPA 1958).

A suggestion/motivation exists. Many people often prefer automation over human effort because automation allows for the optimization of people's time and resources that are normally consumed for manual, labor-intensive procedures. In other words, the motivation to automate procedures that can normally be done manually is to allocate those same resources and time spent to other unrelated efforts while effectively achieving the same outcome as if the procedure were implemented by hand. Case in point, the teachings of Jamzadeh do not explicitly disclose the automation of printing the copies. However, the teachings of Jamzadeh would be modified by one of ordinary skill in the art at the time of the invention to automate such steps in order for the operator to pursue other efforts instead of waiting to manually input another command to print the copies. *In re Venner* holds that providing automation to replace manual activity, which accomplished the same result, would have been obvious.

Moro discloses the apparatus (see Figs. 1 – 2) for scanning an image and printing copies of the image on a sheet, the apparatus comprising:

a scan module (see Figs. 1 and 4, document scanning section 3),

a print module (see Figs. 1 and 3, image forming section 4),

an input device (see Figs. 1 – 2, operator panel section 37) for allowing a selection of an entry identifying a set of differing photo sizes for the purpose of photo sizes of causing a plurality of different sizes of an original to be printed (see Figs. 1 – 2 wherein selection of composite mode switch 39-2 [i.e. a selection of an entry] allows the user to copy and then print multiple images of varying sizes on several sheets [i.e. a set of differing photo sizes] [column 1, lines 41 – 46, column 9, line 64 – column 10, line 7, column 10, lines 48 – 55, column 11, lines 4 – 13]), and

a controller (see Fig. 1, main control section 61, sub-control sections 62, 63 [column 6, lines 19 – 23]) operable, upon a determination that the entry identifying the set of differing photo sizes has been selected (see Fig. 12, step S21 [column 10, lines 8 – 10]), to:

cause the scan module to scan an image from the original (see Fig. 2 wherein copier 1 scans and reads document O [column 3, lines 48 – 51]), automatically determine actual size of the scanned image (see Fig. 1 wherein document size sensing section 65 quantifies the size of the scanned image [column 6, lines 31 – 34]),

automatically scale a first copy of the scanned image to a first photo size identified by the entry (see Fig. 2, reduction rate setting section 39 [column 5,

lines 43 – 48 and column 7, lines 3 – 11] and see Fig. 12 wherein images are scaled in steps S23, S26, S30 when reduction composite mode switch 39-2 is activated in step S21 [column 9, line 64 – column 10, line 7, column 10, lines 10 – 15, 24 – 27 and 48 – 55]),

automatically scale a second copy of the scanned image to a second selected photo size identified by the entry, the second selected photo size being different than the first selected photo size (see Fig. 12 wherein images are scaled in steps S23, S26, S30 when reduction composite mode switch 39-2 is activated in step S21 [column 9, line 64 – column 10, line 7, column 10, lines 10 – 15, 24 – 27 and 48 – 55]),

automatically cause the print module to print one or more of the scaled first copy on a first sheet, and

automatically cause the print module to print one or more of the second scaled copy on a second sheet (see Fig. 13 wherein documents F – O of different sizes [i.e. a first copy of a first photo size, a second copy of a second photo size, a third copy of a third photo size, etc.] are combined, scaled by a specified reduction rate and re-positioned in printed copy sheets 105 – 109 [i.e. a first sheet, a second sheet, a third sheet, etc.] such that the sizes of documents F – O are different from one another [column 1, lines 41 – 46 and column 10, line 48 – column 11, line 13]).

Jamzadeh and Moro are combinable because they are from the same field of endeavor, being copying images of different sizes onto sheets of different sizes while

avoiding wasting space. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include a user-selected entry which prints one more scaled copies of an original of varying photo sizes on one or more sheets. The suggestion/motivation for doing so would have been to provide a more user-friendly and convenient way to maximize usage of the printable area of each copy sheet therein reducing waste of copy paper stock, as suggested by Moro (*column 1, lines 20 – 46, column 10, lines 48 – 55 and column 11, lines 4 – 13*).

Referring to **claim 3**, Jamzadeh discloses the apparatus further comprising a means for rotating at least one copy to utilize maximum printable area on the first or second sheet (*see Fig. 4 wherein 5x7 images have been rotated [column 5, lines 17 – 21]*).

Referring to **claim 4**, Jamzadeh discloses the apparatus further wherein the input device is configured to display selectable entries each corresponding to a different standard photo size (*column 4, lines 35 – 40*).

Furthermore, Moro discloses the apparatus further wherein the input device is configured to display selectable entries each corresponding to a different standard photo size (*see Figs. 1 – 2 wherein reduction rate setting section 39 allows the user to select different standard photo sizes [column 5, lines 43 – 48 and column 7, lines 6 – 8]*).

Referring to **claim 14**, Jamzadeh discloses the apparatus further wherein at least one entry is configured to convey information that is at least indirectly related to a

maximum printable area on a sheet (*see Figs. 3 – 4 [column 3, lines 1 – 5, column 4, lines 35 – 40 and column 5, lines 1 – 30]*).

Referring to **claim 17**, Jamzadeh discloses the apparatus further wherein the original is a photograph (*column 1, lines 17 – 20*).

Referring to **claim 19**, Jamzadeh discloses the apparatus further wherein the apparatus is a digital copying machine (*see Fig. 1 [column 7, lines 52 – 55]*).

Furthermore, Moro discloses the apparatus wherein the apparatus is a digital copying machine (*see Figs. 1 – 2, copier body 1*).

Referring to **claims 6, 25 and 29**, the rationale provided in the rejections of claims 1, 17 and 19, respectively, are incorporated herein. In addition, the apparatuses of claims 1, 17 and 19 include the elements and limitations of the apparatuses of claims 6, 25 and 29, respectively.

Referring to **claim 7**, Jamzadeh discloses the apparatus further wherein the apparatus is an All-in-One machine (*column 3, lines 52 – 57*).

Referring to **claim 9**, Jamzadeh discloses the apparatus further wherein the input device is configured to prompt for additional standard sizes (*column 4, lines 35 – 40*).

Referring to **claim 32**, Jamzadeh discloses the apparatus further wherein the controller is operable to:

automatically position the scaled first scanned image copies to utilize maximum printable area on the first sheet (*see Figs. 3 – 4 [column 3, lines 1 – 5, column 4, lines 35 – 40 and column 5, lines 1 – 30]*), and

automatically position the scaled second scanned image copies to utilize maximum printable area on the second sheet (*see Figs. 3 – 4 wherein one of ordinary skill in the art would use the invention multiple times to position different scanned images of different sheets of given different areas [column 3, lines 1 – 5, column 4, lines 35 – 40 and column 5, lines 1 – 30]*).

Referring to **claim 22**, Jamzadeh discloses the apparatus further wherein the input device includes a set of entries for different standard photo sizes corresponding to maximum printable area on a sheet (*see Figs. 3 – 4 [column 3, lines 1 – 5, column 4, lines 35 – 40 and column 5, lines 1 – 30]*) but does not explicitly disclose the apparatus further wherein the input device allows for a selection of an entry identifying a set of differing photo sizes.

Moro discloses the apparatus wherein the input device allows for a selection of an entry identifying a set of differing photo sizes (*see Figs. 1 – 2 wherein selection of composite mode switch 39-2 [i.e. a selection of an entry] allows the user to copy and then print multiple images of varying sizes on several sheets [i.e. a set of differing photo sizes] [column 1, lines 41 – 46, column 9, line 64 – column 10, line 7, column 10, lines 48 – 55, column 11, lines 4 – 13]*).

12. **Claims 12, 13, 20 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jamzadeh et al.** (U.S. Patent No. 4,994,827) in view of **Moro** (U.S. Patent No. 5,357,348) and further in view of **Seto et al.** (U.S. Patent No. 5,875,044).

Referring to **claim 12**, Seto discloses the apparatus as discussed above in the rejection of claim 1 but does not explicitly disclose the apparatus further wherein the controller is operable to cause the print module to print the first and second copies of the scanned image on the first and second sheets using a single resolution for printing photos.

Seto discloses the apparatus wherein the controller is operable to cause the print module to print the first and second copies of the scanned image on the first and second sheets using a single resolution for printing photos (*see Fig. 16 wherein 300 dpi pictures are converted to the 600 dpi picture shown in Fig. 17 [column 11, line 41 – column 12, line 8]*).

Jamzadeh, Moro and Seto are combinable because they are from the same field of endeavor, being halftone printing of photograph quality pictures. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include converting halftone images to a single resolution for printing. The suggestion/motivation for doing so would have been to utilize high-resolution printers made available on the market while maintaining smoothness, sharpness and reproducibility of both outline images and gray level images, as suggested by Seto (*Abstract, column 1, lines 30 – 38, column 2, lines 13 – 23, 41 – 54, column 11, line 41 – column 12, line 8 and column 32, lines 16 – 25*).

Referring to **claim 13**, Jamzadeh discloses the apparatus further wherein the controller is operable to cause the print module to print the first and second copies of the scanned image on the first and second sheets using mixing color dots to create

colors (*column 3, lines 50 – 65*) but does not explicitly disclose the apparatus further wherein the controller is operable to cause the print module to print the first and second copies of the scanned image on the first and second sheets using a single resolution for printing photos.

Referring to **claims 20 and 21**, the rationale provided in the rejections of claims 12 and 13, respectively, are incorporated herein. In addition, the apparatuses of claims 12 and 13 include the elements and limitations of the apparatuses of claims 20 and 21, respectively.

13. **Claims 15, 16, 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jamzadeh et al.** (U.S. Patent No. 4,994,827) in view of **Moro** (U.S. Patent No. 5,357,348) and further in view of **Fukushi** (U.S. Patent No. 6,226,105).

Referring to **claims 15 and 16**, Jamzadeh discloses the apparatus further wherein the standard photo sizes are in English units of measure (*column 1, lines 40 – 42 and column 4, lines 37 – 40*) but does not explicitly disclose the apparatus further wherein the standard photo sizes are in metric units of measure.

Fukushi discloses the apparatus wherein the standard photo sizes are in metric units of measure (*column 6, lines 50 – 55 wherein the teachings of Fukushi include metric unit teachings; however, a person from another country (i.e. United States) with ordinary skill in the art at the time the invention was made would be inclined to utilize well-known metric-to-English unit conversions; likewise, a person from a country other*

than the United States, for example, with ordinary skill in the art at the time the invention was made would be inclined to utilize well-known English-to-metric unit conversions).

Jamzadeh, Moro and Fukushi are combinable because they are from the same field of endeavor, being reproducing user-defined sizes of images. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include displaying the photo sizes as units of measurements which are either in metric units or English units. It would require no more than "ordinary skill and common sense" to display these units of measurement since the English system is widely used throughout the United States and the metric system is widely used throughout the world. Furthermore, if the particular user is more comfortable using another unit of measure, then it would require no more than "ordinary skill and common sense" that the user would use well-known conversion factors to convert units, whether in metric units or English units, to any desired unit of measure commiserate with the used conversion factor (e.g. metric-to-English unit conversions, English-to-metric unit conversions).

Referring to **claims 23 and 24**, the rationale provided in the rejections of claims 15 and 16, respectively, are incorporated herein. In addition, the apparatuses of claims 15 and 16 include the elements and limitations of the apparatuses of claims 23 and 24, respectively.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Attenberg (U.S. Patent No. 5,913,019) discloses a direct view interactive photo kiosk and composite image forming process for same (*see Abstract and Figs. 5, 9A and 9B*).

Liu (U.S. Patent Application Publication No. 2005/0024683) discloses a method for photo processing and photo-cards printing production (*see Abstract and Figs. 1, 2, 4 and 5*).

Shigeeda et al. (U.S. Patent No. 5,694,486) disclose a method for designating one of a plurality of operating modes wherein a deriving unit performs scaling, rotation and movement processes to extracted outline data (*see Abstract and 9A – 9G, 10A and 10B*).

Tillotson (U.S. Patent No. 6,667,814) discloses automatic up image printing for automatically printing a source document in a print copy format having the largest acceptable print page image size on the fewest number of print copy pages (*see Abstract*).

Cassidy, Jr. et al. (U.S. Patent Application Publication No. 2004/0174563) disclose arranging a plurality of digital images on a page for printing (*see Abstract and Figs. 2 – 15*).

Shields (U.S. Patent Application Publication No. 2003/0163786) discloses an image presentation system for arranging images within a graphics layout program (*see Abstract and Figs. 1, 2 and 4*).

Simon et al. (U.S. Patent Application Publication No. 2002/0040375) disclose a method of organizing digital images on a page (*see Abstract and Figs. 4 – 16*).

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571)272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Myles D. Robinson/
Examiner, Art Unit 2625
7/2/08

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625